

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BRYANT PASCO,

Plaintiff,

v.

NANCY A. BERRYHILL,  
Commissioner of Social Security,

Defendant.

CASE NO. C16-5669-JCC

ORDER

This matter comes before the Court on Plaintiff's supplemental motion for attorney fees (Dkt. No. 28). Pursuant to 42 U.S.C. § 406(b)(1):

Whenever a court renders a judgment favorable to a claimant under this subchapter who was represented before the court by an attorney, the court may determine and allow as part of its judgment a reasonable fee for such representation, not in excess of 25 percent of the total of the past-due benefits . . . .

42 U.S.C. § 406(b)(1). Pasco agreed to pay his attorney 25% of his past-due benefits if his Social Security appeal was successful. (Dkt. No. 24-1.) Pasco's appeal was successful, and he received past-due benefits. (Dkt. No. 24-2 at 1-4.) In accordance with the fee agreement, the Court awarded \$15,044.25 in attorney fees. (Dkt. No. 27.)

Pasco now moves for supplemental attorney fees in the amount of \$6,298.25 based on a subsequent award of past due benefits to his dependents. (*See* Dkt. No. 28 at 7.) Defendant does

1 not oppose the motion. (*See* Dkt. No. 29 at 1.) The Court finds that the total fee is reasonable  
2 given that it comports with the fee agreement, counsel's representation was effective, there was  
3 no undue delay, and the fee does not represent a windfall. (*See* Dkt. Nos. 28-1-28-5.)

4 Plaintiff's motion for attorney fees (Dkt. No. 28) is GRANTED. The Court authorizes  
5 counsel to charge attorney fees in the amount of \$6,298.25 in accordance with 42 U.S.C.  
6 § 406(b).

7 DATED this 10th day of September 2019.

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11 John C. Coughenour  
12 UNITED STATES DISTRICT JUDGE  
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